

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KALAMATA CAPITAL GROUP LLC,

24 Civ. 0445

Plaintiff,

– against –

NOTICE OF REMOVAL

VARALUZ LLC and RONALD HENDERSON,

Defendants.

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PLEASE TAKE NOTICE THAT, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, the Defendants –Varaluz LLC and Ronald F. Henderson – by and through their attorneys, hereby remove this action to the United States District Court for the Eastern District of New York.

Defendants respectfully state the following grounds for removing this action:

1. Varaluz LLC and Ronald F. Henderson are defendants in a civil action entitled *Kalamata Capital Group, LLC v. Veraluz Casa et al.*, pending in the Supreme Court of New York, County of Rockland (“State Court Action”), in Index Number 036634/2023.
2. Upon information and belief, Plaintiff is a citizen of New York.
3. Defendant Varaluz LLC is a citizen of the state of Nevada, the Philippines and China as its members (*i.e.*, owners) reside in the state of Nevada, the Republic of the Philippines, and the People’s Republic of China
4. Defendant Ronald F. Henderson is a citizen of the state of Nevada.
5. Plaintiff filed the complaint initiating the State Court Action on December 22, 2023.
6. Plaintiff seeks \$144,350.00 plus interest, costs, disbursements, and attorney’s fees to amount to a total of \$182,972.50.

7. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1332 because the parties are completely diverse and the amount in controversy exceeds \$75,000.

8. Pursuant to 28 U.S.C. § 1446(d), Defendants will promptly give written notice of the removal to federal court of the State Court Action to Plaintiff.

9. This Notice of Removal to Plaintiff's counsel of record and will file a copy of this Notice of Removal with the clerk of the state court in which the NY State Court Action is pending.

10. WHEREFORE, Defendants request that this civil action be removed from the Supreme Court of the State of New York, County of Rockland, to the United States District Court for the Eastern District of New York.

Dated: January 22, 2024
Long Island City, NY

/s/ David Kasell

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